

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 * * *

4 DWIQUITA LANETTE RUTLEDGE,

5 Plaintiff,

6 v.

7 ERICA COTY GRISWALD, et al.,

8 Defendants.
9

Case No. 2:15-cv-02175-APG-GWF

ORDER DISMISSING CASE

10 Plaintiff Dwiquita Rutledge brought claims for foster care abuse, assault, libel, and
11 slander arising from alleged misconduct by Clark County employees against Rutledge's natural
12 children. The defendants moved to dismiss the case for lack of subject matter jurisdiction. I
13 granted that motion because the complaint presented no federal question and Rutledge failed to
14 assert diversity jurisdiction. ECF No. 30. However, I granted Rutledge leave to file an amended
15 complaint to cure the jurisdictional defects. *Id.*

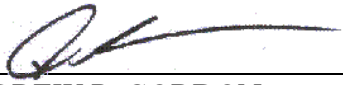
16 Rutledge filed a document entitled amended complaint but the document does not
17 identify any defendants nor does it set forth a short and plain statement of Rutledge's claims.
18 ECF No. 32. Instead, it reads more like a motion for reconsideration of my prior order.
19 However, Rutledge still does not identify a basis for this court to exercise subject matter
20 jurisdiction.

21 United States district courts are courts of limited jurisdiction. *Kokkonen v. Guardian Life*
22 *Ins. Co. of Am.*, 511 U.S. 375, 377 (1994). The Court has original jurisdiction over cases
23 "arising under the Constitution, treaties or laws of the United States" (called "federal question
24 jurisdiction"), or when the amount in controversy exceeds the sum of \$75,000 and the citizenship
25 of each plaintiff is different from that of each defendant (called "diversity jurisdiction"). 28
26 U.S.C. § 1331; 28 U.S.C. § 1332(a); *see also Caterpillar Inc. v. Lewis*, 519 U.S. 61, 68 (1996)

1 (“complete diversity of citizenship” is required). The party asserting that this Court has
2 jurisdiction bears the burden of establishing it. *See Kokkonen*, 511 U.S. at 377. Rutledge has not
3 met her burden of establishing that subject matter jurisdiction exists in this Court.

4 IT IS THEREFORE ORDERED that the clerk of court shall close this case. The
5 dismissal of this case is without prejudice to Rutledge attempting to pursue her claims in state
6 court.

7 DATED this 10th day of November, 2017.

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11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE
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